

EXHIBIT 79

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 IN RE: NATIONAL) MDL No. 2804
5 PRESCRIPTION OPIATE)
6 LITIGATION,) Case No.
7) 1:17-MD-2804
8)
9 THIS DOCUMENT RELATES TO) Hon. Dan A.
10 ALL CASES) Polster
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8 — — —
9 Thursday, January 10, 2019
10 — — —

11 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
12 CONFIDENTIALITY REVIEW
13 — — —
14

15 Videotaped Deposition of ROXANNE REED,
16 held at 4206 South J.B. Hunt Drive, Rogers,
17 Arkansas, commencing at 8:08 a.m., on the
18 above date, before Debra A. Dibble, Certified
19 Court Reporter, Registered Diplomate
20 Reporter, Certified Realtime Captioner,
21 Certified Realtime Reporter and Notary
22 Public.
23

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1 different people, that worked on our Tableau
2 dashboard project with health and wellness
3 compliance.

4 Q. Do any of these names -- strike
5 that.

6 Do you know whether any of
7 these folks in this email were Walmart
8 employees during this time period, which is
9 January 2014?

10 MS. FUMERTON: And I don't -- I
11 haven't looked, but I'm assuming the
12 entire document?

13 MR. BOWER: No, I'm just
14 talking about this top email here.

15 Thank you for that
16 clarification.

17 THE WITNESS: These names do
18 not look like any Walmart associates
19 that I would have known.

20 Q. (BY MR. BOWER) Do you have any
21 understanding, then, as to how this document
22 came to appear in your custodial file?

23 A. I have no idea.

24 Q. Okay. Just a couple more
25 questions, then, based upon your experience

1 with the Access and other work in the
2 databases.

3 The approach, for example,
4 references -- do you see that? It has key
5 deliverables and purpose and then approach?
6 Kind of headings to the left of the page?

7 Do you see that?

8 A. Yes.

9 Q. Okay. Under "Approach," it
10 says, "Use 52 week order history to establish
11 'normal' order amounts."

12 Do you see that?

13 A. Yes.

14 Q. During this time period, which
15 is January 2014, where would Walmart -- where
16 within Walmart would that data have been
17 available?

18 MS. FUMERTON: Objection, form.

19 THE WITNESS: The order
20 history, I do not know.

21 Q. (BY MR. BOWER) Do you know
22 whether order history was available anywhere
23 within Walmart during this time period?

24 A. As far as order history, I
25 don't know where within Walmart order history

1 was kept.

2 Q. What information was used in
3 Access to perform these calculations that you
4 referred to earlier?

5 A. The shipment history would be
6 used.

7 Q. And where was that information
8 located?

9 A. Teradata.

10 Q. Do you have any knowledge as to
11 how far back Teradata maintains shipment
12 history?

13 MS. FUMERTON: Objection, form.

14 MR. BOWER: I'll strike that.

15 Q. (BY MR. BOWER) In other words,
16 2014, if you were to access Teradata, how far
17 back could you go to determine shipment
18 history to a particular pharmacy?

19 A. I don't know what the retention
20 period is specifically for the logistics
21 data.

22 Q. What's the farthest back you've
23 ever gone to pull purchase -- sorry, shipment
24 history in Teradata?

25 A. Exact numbers, I wouldn't know.

1 I know at any point in time recently I've
2 pulled up to two years back. So I haven't
3 pulled more than two years back at any one
4 time.

5 Q. Okay. And do you know whether
6 the information in Teradata is backed up by
7 Walmart?

8 MS. FUMERTON: Objection, form.

9 THE WITNESS: I don't know the
10 exact backup policies for the Teradata
11 system.

12 I do know that there are --
13 there's processes in place for
14 duplication of the database, and like
15 if one goes down, there's another,
16 like, data center that houses it. But
17 I don't know the exact backup
18 schedule.

19 Q. (BY MR. BOWER) And, I mean,
20 the data in Teradata is important to Walmart;
21 correct?

22 MS. FUMERTON: Objection, form.

23 THE WITNESS: Teradata does
24 house important information for
25 different business segments, yes.

1 Q. (BY MR. BOWER) Right.

2 Walmart uses the data in Teradata for many
3 reasons; correct?

4 A. Yes.

5 Q. So you would expect that
6 Walmart would have a process in place to make
7 sure that data is maintained, wouldn't you?

8 MS. FUMERTON: Objection, form.

9 THE WITNESS: So Teradata is a
10 big database that I know is duplicated
11 to maintain the integrity of the data
12 and the security of the database and
13 the information within it.

14 Q. (BY MR. BOWER) So just
15 going -- a couple more questions on this
16 page. At the top of the page references a
17 project goal. Do you see that?

18 And we're still on page ending
19 in 9626.

20 A. Yes.

21 Q. Do you see that?

22 Project goal is stated as "To
23 identify and report suspicious orders of
24 controlled substances and other frequently
25 abused drugs."

1 Do you see that?

2 A. Yes.

3 Q. Do you know whether Walmart
4 asked the folks at Mu Sigma to work on this
5 project?

6 MS. FUMERTON: Objection, form.

7 THE WITNESS: I don't know.

8 Q. (BY MR. BOWER) Do you know who
9 would know that? Would it be Kristy?

10 A. Since Kristy worked with them,
11 I would assume she would have been involved.

12 Q. Do you know what the reference
13 on the top of this page to "frequently abused
14 drugs" means?

15 A. I do not.

16 Q. Are you aware that our country
17 is in the middle of an opioid crisis?

18 A. Yes.

19 MS. FUMERTON: Objection, form.

20 Q. (BY MR. BOWER) And when did
21 you first become aware of the opioid crisis?

22 MS. FUMERTON: Objection, form.

23 THE WITNESS: I don't know the
24 exact time.

25 Q. (BY MR. BOWER) Do you know an

1 approximate time?

2 A. I would say that those terms I
3 first heard in the media within the last
4 couple of years.

5 Q. By "those terms," you mean
6 opioid crisis?

7 A. Yes.

8 Q. What about a broader issue with
9 respect to abuse of controlled substances?

10 MS. FUMERTON: Objection, form.

11 THE WITNESS: What's your
12 question?

13 Q. (BY MR. BOWER) I'm just trying
14 to figure out. You seem to be stuck on my
15 term "opioid crisis." I'm just trying to
16 figure out if you use different terms, if you
17 define it as abuse of prescription drugs, of
18 drug issues with respect to Schedule II
19 narcotics. Anything broader than that. When
20 did you first become aware that our country
21 was having a problem with prescription drug
22 abuse?

23 MS. FUMERTON: Objection, form.

24 THE WITNESS: So I've worked in
25 the health and wellness space the

1 majority of my career. Now, I've
2 worked in an independent pharmacy when
3 I was in high school, in college. And
4 so I would say that's been something
5 that's been known by me for the
6 majority of my career, that ...

7 Q. (BY MR. BOWER) I don't want to
8 cut you off. Are you --

9 A. Yeah.

10 Q. Did you have any discussions
11 about prescription drug abuse with folks at
12 Walmart?

13 MS. FUMERTON: Objection, form.

14 THE WITNESS: I don't know of
15 any specific conversations about
16 prescription drug abuse.

17 So it could come up in context
18 of a diversion investigation, or a
19 controlled substance loss
20 investigation. And of course later,
21 in SOM. But not -- not specifically
22 meetings about drug abuse issues.

23 Q. (BY MR. BOWER) And I
24 appreciate that clarification.

25 So -- and I don't want to spend

1 too much time on this, but, for example, how
2 would it come up in connection with, for
3 example, SOM -- you said, "of course, later
4 in SOM." How would that come up?

5 MS. FUMERTON: Objection, form.

6 THE WITNESS: So when reviewing
7 an order, part of what we were looking
8 for are signs that something
9 inappropriate may be going on. So a
10 red flag wasn't cleared. And that
11 could be an indication of
12 inappropriate use. And so generally,
13 you know, the possibility of
14 inappropriate use would be talked
15 about during any kind of alert review.

16 Q. (BY MR. BOWER) And when you
17 were reviewing an order, what type of
18 information were you looking at?

19 MS. FUMERTON: Objection, form.

20 THE WITNESS: It -- there was a
21 wide array of information, including
22 dispensing trends, past order history.
23 Things like that.

24 Q. (BY MR. BOWER) What do you
25 mean by "dispensing trends"?

1 What specific information would
2 you look at?

3 MS. FUMERTON: Objection, form.

4 THE WITNESS: The actual trend
5 of dispensing: Has the amount of that
6 particular drug in question gone up or
7 down, or was it steady.

8 What the quantity of pills per
9 prescription.

10 We would look at insurance,
11 what we call distribution. So whether
12 insurance was used or whether cash was
13 used.

14 How far patients were
15 traveling. How far away prescribers
16 were from the location.

17 Things like that.

18 Q. (BY MR. BOWER) And I
19 appreciate that information. I just want to
20 go through each one of those to make sure I
21 understand what you're actually looking at.

22 So the first one you mentioned
23 was -- it would help if I could read my own
24 writing.

25 So the first thing you

1 mentioned was the actual trend of dispensing.
2 Has that amount of that particular drug in
3 question gone up or down or is it steady?

4 So that information, was it
5 specific to a pharmacy?

6 A. Yes. It was the pharmacy and
7 drug that alerted.

8 Q. And by "drug," do you mean NDC?
9 Or something else?

10 A. When a -- so a specific item,
11 so NDC would alert. We would look at the
12 entire GPI for that drug.

13 Q. And I appreciate that. So can
14 you just, for the record, clarify what you
15 mean by "GPI"?

16 A. So GPI is the global product
17 indicator.

18 Q. Okay. And what does that mean?

19 A. It is a more universal term.
20 The NDC is manufacturer-specific, and the
21 GPI, each number means something. I don't
22 know what they all mean. But the entire
23 number together refers to a drug.

24 So, for instance, hydrocodone
25 10/325 has one GPI regardless of the multiple

1 NDCs that are made.

2 Q. Okay. Does the GPI
3 consider different -- for example, you
4 mentioned hydrocodone -- different strengths
5 of hydrocodone?

6 A. The entire GPI would be one
7 strength of hydrocodone. If you back off a
8 couple numbers, then it would be a different
9 strength of hydrocodone -- or it would be
10 like a hydrocodone as a drug class, and then
11 a couple more numbers would mean like the
12 opioid, you know, drug class. Things like
13 that. They stair-step.

14 Q. Okay. I appreciate that. I
15 didn't mean to cut you off.

16 When reviewing an order, would
17 you limit your review to the GPI or would you
18 back off and look at the more broader
19 information?

20 MS. FUMERTON: Objection, form.

21 THE WITNESS: For what
22 timeframe?

23 Q. (BY MR. BOWER) Well, that's a
24 fair point. Let's start with when was the
25 first time you would have used this